

## TRANSMITTAL FORM

Attorney Docket No.

SVL920010073US1/2305P

In re the application James PICKEL, et al.

Confirmation No: 3927

RECEIVED

Serial No: 10/066,049

Group Art Unit: 2171

FEB 12 2004

Filed: January 31, 2002

Examiner: To Be Assigned Technology Center 2100

For: METHOD AND SYSTEM WORKLOAD BALANCING IN A NETWORK OF COMPUTER SYSTEMS

## ENCLOSURES (check all that apply)

9-13-04

<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input type="checkbox"/>	Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input type="checkbox"/>	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/>	Form 1449	<input type="checkbox"/>	Drawings	<input type="checkbox"/>	Status Letter
<input checked="" type="checkbox"/>	Copies of References	<input type="checkbox"/>	Petition	<input checked="" type="checkbox"/>	Postcard
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer		
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxxx month(s), from to .			
<input type="checkbox"/>	Executed Declaration by Inventor(s)				

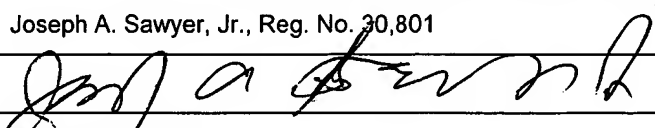
## CLAIMS

FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	0	0	0	\$18.00	\$ 0.00
Independent Claims	0	0	0	\$86.00	\$ 0.00
				Total Fees	\$ 0.00

## METHOD OF PAYMENT

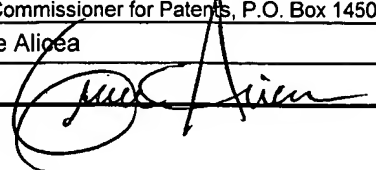
<input type="checkbox"/>	Check no: _____ in the amount of \$ _____ is enclosed for payment of fees.
<input type="checkbox"/>	Charge \$ _____ to Deposit Account No. _____ (Account Holder Name) for payment of fees.
<input checked="" type="checkbox"/>	Charge any fees or credit any overpayment to Deposit Account No. 09-0460 (IBM Corporation)

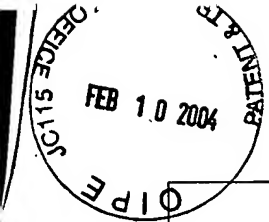
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Attorney Name	Joseph A. Sawyer, Jr., Reg. No. 30,801
Signature	
Date	February 6, 2004

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: February 6, 2004

Type or printed name	Grace Alicea
Signature	



CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 6, 2004.

Grace Alicea

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Technology Center 2100

In Re Application of:

Date: February 6, 2004

James PICKEL, et al.

Confirmation No: 3927

Serial No.: 10/066,049

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Examiner: *To Be Assigned*

For: METHOD AND SYSTEM WORKLOAD BALANCING IN A NETWORK OF  
COMPUTER SYSTEMS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. §1.97**

Sir:

Pursuant to 37 C.F.R. §1.97 and §1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. The Examiner is requested to make these documents of record. This Information Disclosure Statement is being submitted:

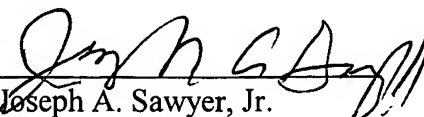
- ☒ With copies.
- ☐ Without copies. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial No. \*\*, filed \*\*. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609 (A)(2).
- ☐ This Information Disclosure Statement is being submitted with only copies of non-U.S. patent publication(s) and non-patent literature. This protocol conforms with 37 CFR 1.98(a)(2)(i), which waives the requirement for submitting a copy of each cited U.S. Patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- ☐ The documents listed on the attached Form PTO-1449 were cited in a Search Report directed to a counterpart international or foreign application.


- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date, or before mailing of a first Office Action on the merits.
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ After receipt of a first Office Action on the merits, but before the mailing date of a Final Office Action under §1.113, or a Notice of Allowance §1.311. Accompanied by one of:
  - ☐ Certification under 37 CFR §1.97(e); or
  - ☐ The fee set forth in §1.17(p)
- ☐ After mailing of a final Office Action or Notice of Allowance, but on or before payment of the issue fee. Accompanied by:
  - ☐ Certification under 37 CFR §1.97(e); and
  - ☐ The fee set forth in §1.17(p)
- ☐ A Certification under 37 C.F.R. §1.97(e) is provided below:
  - ☐ I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - or-
  - ☐ I hereby certify that no item of information was cited in a communication from a foreign patent office in a counterpart foreign application or, to the best of my knowledge after making a reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein. If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

February 6, 2004  
Date

  
Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540

FORM PTO-1449 (Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. <b>SVL920010073US1/2305P</b>	SERIAL NO. <b>10/066,049</b>
		
APPLICANT: <b>James PICKEL, et al.</b>		
FILING DATE: <b>January 31, 2002</b>		GROUP: <b>RECEIVED</b> <b>2171</b>

FEB 12 2004

Technology Center 2100

**REFERENCE DESIGNATION                      U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPRO.)
	<b>6,031,978</b>	<b>02-29-2000</b>	<b>Cotner et al.</b>			
	<b>5,319,773</b>	<b>06-07-1994</b>	<b>Britton et al.</b>			
	<b>5,561,797</b>	<b>10-01-1996</b>	<b>Gilles et al.</b>			
	<b>6,247,038</b>	<b>06-12-2001</b>	<b>Banks et al.</b>			
	<b>6,202,079</b>	<b>03-13-2001</b>	<b>Banks</b>			
	<b>5,961,607</b>	<b>10-05-1999</b>	<b>Schaefers</b>			

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation

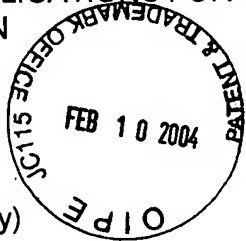
**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

		<i>Session Sharing In A Cluster of Java Servers</i> , IBM Research Disclosure No. 430142, February 2000, pp. 355
		<i>Managing Resource Definitions in Distributed Systems</i> , IBM Technical Disclosure Bulletin, Vol. 38, No. 12, December 1995, pp. 81-83
		<i>Hanthiraiyan Pragaspathy, Address Partitioning in DSM Clusters with Parallel Coherence Controllers</i> , IEEE Computer Society, Proceedings 2000 International Conference on Parallel Architectures and Compilation Techniques, October 2000, pp. 47-56

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)	ATTY. DOCKET NO. SVL920010073US1/2305P	SERIAL NO. 10/066,049
	APPLICANT: James PICKEL, et al.	
	FILING DATE: January 31, 2002	GROUP: 2171



**RECEIVED**

FEB 12 2004

Technology Center 2100

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPRO.)
	5,953,719	09-14-1999	Kleewein et al.			
	5,884,327	03-16-1999	Cotner et al.			
	5,625,811	04-29-1997	Bhide et al.			
	5,613,060	03-18-1997	Britton et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
2,287,639	10/27/1999	Canada			

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	Vasudha Govindan, Mark A. Franklin, <i>Application Load Imbalance on Parallel Processors</i> , IEEE Computer Society Press, Proceedings of IPPS, The 10 <sup>th</sup> International Parallel Processing Symposium, April 1996, pp. 836-842
	Michael J. Carey, Miron Livny, Hongjun Lu, <i>Dynamic Task Allocation in a Distributed Database System</i> , IEEE Computer Society Press, Proceedings, The 5 <sup>th</sup> International Conference on Distributed Computing Systems, May 1985, pp. 282-291
	Rob Goldring, <i>Things Every Update Replication Customer Should Know</i> , SIGMOD Record, Volume 24, Issue 2, June 1995, Proceedings of the 1995 ACM SIGMOD, International Conference on Management of Data, pp. 439-440

EXAMINER	DATE CONSIDERED
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